

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Bill No. 773, Page 1, Section A, Line 5, by  
2 inserting after all of said section and line the following:

3  
4 "43.535. 1. [Law enforcement agencies within the state of Missouri may perform a Missouri  
5 criminal record review for only open records through the MULES system for the purpose of hiring  
6 of municipal or county governmental employees. For each request, other than those related to the  
7 administration of criminal justice, the requesting entity shall pay a fee to the central repository,  
8 pursuant to section 43.530. For purposes of this section, "requesting entity" shall not be the law  
9 enforcement agency unless the request is made by the law enforcement agency for purposes of hiring  
10 law enforcement personnel.

11 2.] Municipalities [and] , counties, and other political subdivisions may, by local or county  
12 ordinance or political subdivision policy, rule, or regulation, require the fingerprinting of applicants  
13 or licensees in specified occupations for the purpose of receiving criminal history record information  
14 by local [or] , county, or other political subdivision officials. A copy of the ordinance, policy, rule,  
15 or regulation must be forwarded for approval to the Missouri state highway patrol prior to the  
16 submission of fingerprints to the central repository. The local or county law enforcement agency, or  
17 for a political subdivision the county law enforcement agency shall submit a set of fingerprints of the  
18 applicant or licensee, accompanied with the appropriate fees, to the central repository for the purpose  
19 of checking the person's criminal history. The set of fingerprints shall be used to search the Missouri  
20 criminal records repository and shall be submitted to the Federal Bureau of Investigation to be used  
21 for searching the federal criminal history files if necessary. The fingerprints shall be submitted on  
22 forms and in the manner prescribed by the Missouri state highway patrol. Notwithstanding the  
23 provisions of section 610.120, all records related to any criminal history information discovered  
24 shall be accessible and available to the municipal [or] , county, or political subdivision officials  
25 making the record request.

26 [3.] 2. All criminal record check information shall be confidential and any person who  
27 discloses the information beyond the scope allowed is guilty of a class A misdemeanor.

28 43.543. Any state agency listed in section 621.045, the division of professional registration  
29 of the department of insurance, financial institutions and professional registration, the department of  
30 social services, the supreme court of Missouri, the state courts administrator, the department of  
31 elementary and secondary education, the department of natural resources, the Missouri lottery, the  
32 Missouri gaming commission, or any state, municipal, or county agency which screens persons  
33 seeking employment with such agencies or issuance or renewal of a license, permit, certificate, or  
34 registration of authority from such agencies; or any state, municipal, or county agency or committee,  
35 or political subdivision, or state school of higher education which is authorized by state statute or  
36 executive order, or local or county ordinance to screen applicants or candidates seeking or

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 considered for employment, assignment, contracting, or appointment to a position within state,  
2 municipal, or county government; or the Missouri peace officers standards and training, POST,  
3 commission which screens persons, not employed by a criminal justice agency, who seek enrollment  
4 or access into a certified POST training academy police school, or persons seeking a permit to  
5 purchase or possess a firearm for employment as a watchman, security personnel, or private  
6 investigator; or law enforcement agencies which screen persons seeking issuance or renewal of a  
7 license, permit, certificate, or registration to purchase or possess a firearm shall submit two sets of  
8 fingerprints to the Missouri state highway patrol, Missouri criminal records repository, for the  
9 purpose of checking the person's criminal history. The first set of fingerprints shall be used to search  
10 the Missouri criminal records repository and the second set shall be submitted to the Federal Bureau  
11 of Investigation to be used for searching the federal criminal history files if necessary. The  
12 fingerprints shall be submitted on forms and in the manner prescribed by the Missouri state highway  
13 patrol. Fees assessed for the searches shall be paid by the applicant or in the manner prescribed by  
14 the Missouri state highway patrol. Notwithstanding the provisions of section 610.120, all records  
15 related to any criminal history information discovered shall be accessible and available to the state,  
16 municipal, or county agency making the record request."; and

17  
18 Further amend said bill by amending the title, enacting clause, and intersectional references  
19 accordingly.